

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6493**

**BILL NUMBER: SB 93**

**NOTE PREPARED: Apr 7, 2011**

**BILL AMENDED: Apr 7, 2011**

**SUBJECT:** Concussions and Head Injuries in Student Athletes.

**FIRST AUTHOR:** Sen. Holdman

**FIRST SPONSOR:** Rep. Bacon

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Dissemination of Information:* This bill requires the Department of Education, in consultation with specified persons, to disseminate guidelines, information sheets, and forms to school corporations for distribution to schools to inform and educate coaches, student athletes, and parents of student athletes of the nature and risk of concussions and head injuries.

The bill requires that a high school student athlete and the student athlete's parent be given information concerning head injuries and concussions and return a form acknowledging receipt of the information to the student athlete's coach each year before beginning practice for a sport.

The bill requires that a high school student athlete who is suspected of sustaining a head injury or concussion be removed from play at the time of the injury. It provides that the student athlete may not return to play until the student athlete has been evaluated and received written clearance from a licensed health care provider trained in evaluating head injuries. The bill also provides that a health care provider who, as a volunteer in good faith and gratuitously, provides head injury evaluations to student athletes has immunity from civil liability for acts or omissions arising from the evaluations, except for gross negligence or willful or wanton misconduct.

*Participation in High School Athletics:* The bill requires a student who attends a nonpublic high school that is not a member of an interscholastic athletic association who participates in high school athletics at a public high school that is a member of an athletic association to: (1) follow applicable code of conduct rules; (2) fulfill certain academic requirements; (3) undergo annual department of education approved academic assessments; and (4) comply with any transfer rules of the association.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** *Dissemination of Information:* The Department of Education could incur some administrative costs associated with disseminating guidelines and information sheets, and forms on concussions. The additional cost would probably be minor and would be mainly one-time costs. The information can be disseminated in an electronic format.

The provision that a health care provider who, as a volunteer in good faith and gratuitously, provides head injury evaluations to student athletes has immunity from civil liability for acts or omissions arising from the evaluations, except for gross negligence or willful or wanton misconduct should have no fiscal impact.

**Background:** The Indiana High School Athletic Association (IHSAA) currently provides information to officials and coaches on concussions. The IHSAA and the National Federation of State High School Associations require an athlete who exhibits signs, symptoms, or behaviors consistent with a concussion be immediately removed from the contest and not be allowed to play until cleared by an appropriate health care professional. The official of the contest is required to file a report with the IHSAA within 24 hours.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Dissemination of Information:* Schools could incur some additional costs with the disseminating of information and the required record keeping. The additional cost would probably be minor.

(Revised) *Participation in High School Athletics:* The bill could increase the extracurricular costs of the school if the number of students participating in the sport increased. The additional cost would probably be minor.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Education.

**Local Agencies Affected:** Schools.

**Information Sources:** IHSAA, <http://www.ihsaa.org/dnn/Home/tabid/38/Default.aspx>

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